



Entered on Docket  
January 29, 2010

Hon. Mike K. Nakagawa  
United States Bankruptcy Judge

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Attorneys for Secured Creditor WELLS FARGO BANK, NATIONAL ASSOCIATION AS  
TRUSTEE FOR THE CERTIFICATEHOLDERS OF STRUCTURED ASSET  
MORTGAGE INVESTMENTS II INC., GREENPOINT MTA TRUST 2006-  
AR1, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-AR1

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

JOSE LUIS MENDOZA AND EVA  
HERRERA DE MENDOZA ,

Debtor(s).

Bankruptcy Case No. BK-S-09-21904-mkn  
Chapter 13

WELLS FARGO BANK, NATIONAL  
ASSOCIATION AS TRUSTEE FOR THE  
CERTIFICATEHOLDERS OF  
STRUCTURED ASSET MORTGAGE  
INVESTMENTS II INC., GREENPOINT  
MTA TRUST 2006-AR1, MORTGAGE  
PASS-THROUGH CERTIFICATES,  
SERIES 2006-AR1'S ORDER  
TERMINATING AUTOMATIC STAY  
Date: January 6, 2010  
Time: 1:30 p.m.

1 A hearing on Secured Creditor Wells Fargo Bank, National Association as  
2 Trustee for the Certificateholders of Structured Asset Mortgage Investments II Inc., GreenPoint  
3 MTA Trust 2006-AR1, Mortgage Pass-Through Certificates, Series 2006-AR1's Motion for  
4 Relief From the Automatic Stay came on regularly for hearing in the United States Bankruptcy  
5 Court before the Honorable Mike K. Nakagawa, Michelle Abrams appearing on behalf of  
6 Secured Creditor.

7 The court having duly considered the papers and pleadings on file herein and  
8 being fully advised thereon and finding cause therefor:

9 IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

10 The automatic stay of 11 United States Code section 362 is hereby immediately  
11 terminated as it applies to the enforcement by Movant of all of its rights in the real property  
12 under the Note and Deed of Trust encumbering the real property commonly known as 6376  
13 Heatherton Avenue, Las Vegas, Nevada 89110 ("Real Property"), which is legally described as:

14  
15 LOT TWENTY-FIVE (25) IN BLOCK A OF  
16 ROLLING HILLS NO. 4, AS SHOWN BY MAP  
17 THEREOF ON FILE IN BOOK 65 OF PLATS,  
18 PAGE 18, IN THE OFFICE OF THE COUNTY  
19 RECORDER OF CLARK COUNTY, NEVADA.

20 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Movant and/or  
21 its foreclosure trustee shall mail written notice of the time, date and place of the foreclosure sale  
22 of the Real Property to the Debtor(s) at the address for the Real Property at least 5 calendar days  
23 prior to the foreclosure sale. In the event that Movant and/or its foreclosure trustee provides at  
24 least 5 calendar days' advance notice of the time, date and place of the foreclosure sale of the  
25 Real Property in compliance with the notice requirements set forth in Chapter 107 of Nevada  
26 Revised Statutes, those notices shall be sufficient to satisfy the requirement of this Court to  
27 provide 5 days' notice to the Debtor(s).

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1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Movant may  
 2 offer and provide Debtors with information re: a potential Forbearance Agreement, Loan  
 3 Modification, Refinance Agreement, or other Loan Workout/Loss Mitigation Agreement, and  
 4 may enter into such agreement with Debtors. However, Movant may not enforce, or threaten to  
 5 enforce, any personal liability against Debtors if Debtors' personal liability is discharged in this  
 6 bankruptcy case.

7 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon entry of  
 8 this Order, the Trustee shall cease payment on Secured Creditor's Proof of Claim. Secured  
 9 Creditor's Proof of Claim is allowed in the amount of payments made to date by the Trustee.

10 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon  
 11 disposition of the Real Property, Secured Creditor may amend said Proof of Claim and share in  
 12 any distribution from the date of the filing of the amended Claim pursuant to the confirmed Plan.

13 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Trustee is  
 14 not required to recover previous distributions from other creditors for distribution on Secured  
 15 Creditor's amended claim. This may result in a percentage of payment on Secured Creditor's  
 16 amended Claim different than to other creditors.

17 APPROVED/DISAPPROVED APPROVED/DISAPPROVED

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 20 JORGE L. SANCHEZ  
 DEBTOR(S) ATTORNEY

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RICK A. YARNALL  
 TRUSTEE

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ALTERNATIVE METHOD re: RULE 9021:

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objections.

☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

☐ Approved. -

☐ Disapproved. -

☒ Failed to respond. - Debtors' Attorney/Trustee

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Submitted by:

/s/ JACQUE A. GRUBER

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AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF

STRUCTURED ASSET MORTGAGE INVESTMENTS

II INC., GREENPOINT MTA TRUST 2006-AR1, MORTGAGE

PASS-THROUGH CERTIFICATES, SERIES 2006-AR1